

## SELF SERVICE CENTER

### INSTRUCTIONS:

#### HOW TO FILL OUT THE **"MOTION TO SET AND CERTIFICATE OF READINESS"**

**USE THIS FORM ONLY** if there has been a petition/complaint **and** an answer/response filed in your case. By filing a **"Motion to Set to Set and Certificate of Readiness"**, you are telling the court that you want to go forward with the trial and that discovery is done if you have a Family Court case or discovery will be done in 60 days if you have a Civil case. Here are the steps to help you fill out the **"Motion to Set and Certificate of Readiness"**.

**STEP 1: FILL OUT THE "MOTION TO SET AND CERTIFICATE OF READINESS."** (Use this form **ONLY** if you and the other party disagree and you want the judge to set a trial date and discovery is complete if you have a Family Court case or discovery will be completed in 60 days if you have a Civil case.)

- A.** Make sure your form is titled **"Motion to Set and Certificate of Readiness."** Type or print using **black ink only!**
- B.** In the top left corner of the first page fill out the following: Your Name; Address; City, State; Zip Code; Telephone Number; and your ATLAS Number, if you are receiving, or have received, AFDC from the Arizona Department of Economic Security.
- C.** "Name of Petitioner/Plaintiff". In this space, put the name of the party who filed the original case. If the **other** party filed the original case, he/she will be the Petitioner/Plaintiff. In the space that says "Name of Respondent/Defendant," fill in the name of the Respondent/Defendant. Whoever was the Respondent/Defendant for the filing of the original case will be the Respondent/Defendant for **all** other papers filed in this case.
- D.** Fill in your case number where it says "Case Number \_\_\_\_\_." Your case number stays the same any time papers are filed in your case. Then fill in the name of the judge assigned to your case. If you do not know the name of the judge assigned to your case, call the court where your case was filed:

Domestic Relations/Family Court Administration (Downtown Phoenix) 602-506-7879 or 602-506-1561

Domestic Relations/Family Court Administration (Mesa) 602-506-2021

Domestic Relations/Family Court Administration (Surprise) 602-372-9403

Civil Court Administration (Downtown Phoenix) 602-506-1497

Civil Court Administration (Mesa) 602-506-2021

Court Administration (Surprise) 602-372-9400

- E. INFORMATION ABOUT ME.** Put an "X" in the appropriate box to identify to the court whether you are the Petitioner/Plaintiff or the Respondent/Defendant in this case.

**F. INFORMATION ABOUT MY CASE.**

- 1. SET MY CASE FOR TRIAL.** Put an "X" in this box if you want the court to set your case for trial. Then add the date your case will be ready for trial.
- 2. WE DO NOT AGREE.** Put an "X" in this box if a Petition **or** Complaint **and** a Response or Answer have been filed. This tells the court that there are still disagreements between you and the other party, and a Hearing or Trial is necessary to settle the things you, and the other party, do not agree about.
- 3. CIVIL CASE OR DOMESTIC RELATIONS/FAMILY COURT CASE.** Put an "X" in the Civil Case box if your case is a Civil Case or put an "X" in the Domestic Relations/Family Court box if your case is a Domestic Relations/Family Court case. If you have questions about **"Discovery"**, you should ask a lawyer for help.

4. **INFORMATION ABOUT YOU OR YOUR LAWYER.** If you **are** represented by an attorney, put his/her name, address, city, state, zip code, and telephone number in this space. If you **are not** represented by an attorney, write in your name, address, city, state, zip code, and telephone number in this space.
5. **INFORMATION ABOUT THE OTHER PARTY.** If the other party **is** represented by an attorney, put the attorney's name, address, city, state, zip code, and telephone number in the space provided. If the other party **is not** represented by an attorney, write in the other party's name, address, city, state, zip code, and telephone number in this space.
6. **PREFERENCE FOR TRIAL.** If your case is a divorce, paternity, and/or custody case, your case is given special preference by the court. Put an "X" in the box that says "this case is entitled to be heard before other cases," and check the box in front of Domestic Relations/Family Court case. If you do not know whether your case is entitled to preference, see a lawyer for help.
7. **SHORT CASE.** Some cases can be heard in an hour or less. If a lawyer has told you that your case can be heard in an hour or less, check the "yes" box; otherwise, check the "no" box. If you are "not sure," check the "not sure" box.
8. **ESTIMATED TIME FOR TRIAL.** Indicate how long you think the trial will take. Generally, if it is a divorce, paternity or custody trial, you should request "1 Day." If you will be having a lot of witnesses, experts, and/or if there is an attorney for the other side, you may want to request "1 Day." If there are no witnesses, other than you and the other party, and you don't have a lot to tell the judge, you should ask for "2 Hours." The court will decide how much time to schedule for the trial. If the trial takes longer than the time allowed, the judge can continue the trial to another date and time.
9. **CIVIL CASES ONLY. JURY TRIAL.** If your case is a civil case and you want a jury trial, check the "yes" box, otherwise check the "no" box. Jury trials are **not** allowed in Domestic Relations/Family Court cases. **You are not required to fill this section out.**
10. **CIVIL CASES ONLY. ARBITRATION.** Write in "N/A" for "not applicable" if your case is a Domestic Relations/Family Court case. If your case is a Civil case, write in the amount of money or damages you and the other party are having a dispute over. If you and the other party are disputing over less than \$50,000, then your case is subject to Arbitration and you should check the "yes" box; otherwise, check the "no" box.
11. **TODAY'S DATE.** Print, or type, in black ink in the space provided, the day of the month, the month and the year you signed the motion. Sign your name on the line provided.
12. **I PROMISE UNDER OATH THAT I DID THE FOLLOWING THINGS:** Print or type the day of the month, the month, and the year you did each of these things. Then sign your name to confirm to the court that you gave, or mailed, the papers to the person(s) whose name(s) appear in the section above your signature.

**STEP 2: READ THE INSTRUCTIONS.** After you have filled out the motion, read the Self-Service Center's instruction called "**PROCEDURES: WHAT TO DO WITH THE *Motion to Set and Certificate of Readiness***" NOW THAT YOU HAVE FILLED IT OUT".